

REMARKS

By this Amendment, claims 2 and 3 are canceled. Claims 1, 4, 5, 10, 14 and 19 are amended. New claims 26 and 27 are presented for examination. As a result, claims 1 and 4-27 are currently pending in the application. Claim 1 is amended to include the patentable limitations of canceled claim 3. Claims 4, 5, 10, 14 and 19 are amended to correct a typographical error. New claims 26 and 27 recite a different combination of patentable elements.

Claim Objections

Pursuant to the above-referenced Office Action, claims 4, 14 and 19 stand objected to because "*field* technician" is misspelled as "*filed* technician." Applicants acknowledge the error (which also occurred in claims 5 and 10 as originally filed) and have amended claims 4, 5, 10, 14 and 19 to correct the inadvertent spelling error. Accordingly, Applicants respectfully request the Examiner to withdraw the objection to the claims.

Claim Rejections – 35 USC § 102

Pursuant to the Office Action, claims 1, 2 and 4 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,579,014 (Melton et al.). The Examiner asserts that Melton et al. teaches *inter alia* a fiber optic receptacle mounted on the outside of an enclosure (80) by fasteners through a plurality of holes (28) on a flanged portion (26). Melton et al. "is silent regarding an opening through which the fiber optical receptacle is placed on the enclosure, but such an opening is inherently present on a wall of the enclosure so that access to inside of the enclosure is possible through the optical fiber receptacle." Office Action at pages 2-3.

Applicants respectfully traverse the rejection with respect to independent claim 1, as amended herein. Claim 1 is amended to include the patentable limitations of canceled claim 3. Claim 3 is patentable for the reason set forth below in response to the claim rejections under 35

USC § 103. Claim 2 is canceled. Claim 4 depends directly from patentable base claim 1, and thus, is likewise allowable for at least the same reasons. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claims 1, 2 and 4 under 35 U.S.C. §102(e).

Claim Rejections – 35 USC § 103

Pursuant to the Office Action, claim 3 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Melton et al., as applied to claims 1 and 2 above. Claims 10-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Melton et al. in view of U.S. Patent 6,591,053 (Fritz).

Applicants respectfully traverse the rejections. The “obviousness” rejections under 35 U.S.C. §103(a) based in whole or in part on Melton et al. are improper in view of §102(c) which states:

(c) subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

None of the inventors of the present application developed the subject matter of Melton et al., and Melton et al. qualifies as prior art to the claims of the present application only under 35 U.S.C. §102(e). Furthermore, the subject matter of Melton et al. and the claimed invention were, at the time the invention of the present application was made, both subject to an obligation of assignment to the same entity, namely Corning Cable Systems LLC of Hickory, North Carolina. Pursuant to section 103(c), the subject matter disclosed in Melton et al. “shall not preclude patentability under this section” (i.e., 35 U.S.C. § 103). As a result, Melton et al. is not available for use, either alone or in combination with another reference, in an obviousness rejection of the claims of the present application. Accordingly, Applicants respectfully request the Examiner to

withdraw the rejection of claims 3 and 10-12 under 35 U.S.C. §103(a).

Allowable Subject Matter

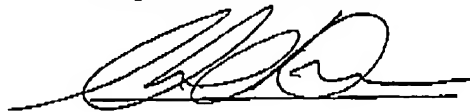
Pursuant to the Office Action, claims 5-9 and 13-25 stand allowed. Applicants gratefully acknowledge the Examiner's indication of allowability and statement of reasons for the indication of allowable subject matter. As stated hereinabove, claims 5, 14 and 19 have been amended to correct a typographical error. Otherwise, the claims remain as originally filed and allowed. Applicants further submit that claims 1, 4 and 10-12 and new claims 26 and 27 are likewise allowable for at least the reasons stated hereinabove. Accordingly, Applicants respectfully request the Examiner to issue a Notice of Allowability for the pending claims 1 and 4-27.

CONCLUSION

In view of the foregoing amendments and these remarks, Applicants respectfully request the Examiner to withdraw the objection and rejections to the claims, and to reconsider the application as amended herein. This Amendment is fully responsive to the Office Action and places the application in condition for immediate allowance. Accordingly, Applicants respectfully request the Examiner to issue a Notice of Allowability for the pending claims. Applicants encourage the Examiner to contact the undersigned directly to further the prosecution of any remaining issues, and thereby expedite allowance of the application.

This Amendment results in 2 more independent claims than paid for previously. Thus, a **fee for excess independent claims in the amount of \$400 is believed to be due.** The Examiner is hereby authorized to charge the excess claims fee, and any fee due in connection with the filing of this response, to Deposit Account No. 19-2167. If a fee is required for an extension of time under 37 C.F.R. §1.136 not already accounted for, such an extension is requested and the Examiner is likewise authorized to charge the fee to the Deposit Account. Any overpayment should be credited to Deposit Account No. 19-2167.

Respectfully submitted,



Christopher C. Dreman
Attorney for Applicants
Registration No. 36,504
P. O. Box 489
Hickory, N. C. 28603
Telephone: 828/901-5904
Facsimile: 828/901-5206

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